

ATTACHMENT A

Remarks

In the Office Action dated March 24, 2004, the Examiner identified claims drawn to five groups, namely Group 1 (claims 1-4, 12, 13, 15 and 16 drawn to compounds); Group 2 (claims 5-11, 14 and 17 drawn to compounds); Group 3 (claims 18 and 19 drawn to a method of treating diseases); Group 4 (claim 20 drawn to a method of treating diseases); and Group 5 (claim 21 drawn to a method of evaluating the affinity of a compound). Applicants respectfully traverse the Restriction Requirement for the following reasons.

Contrary to the Examiner's allegation, the claims of Group 1 and Group 2 are drawn to a single inventive concept. As will be noted, claims 1-4, 12, 13, 15 and 16 are drawn to compounds of Formula I whereas claims 5-11, 14 and 17 are drawn to compounds of Formula II. Upon examination of Formula I as compared with Formula II, it is readily discernable that Formula II is a subset of Formula I where R₁ and R₂ of Formula I are further defined as recited in the form of Formula II. Thus, the formulas of Formula I (Group 1) and the compounds of Formula II (Group 2) share the same chemical skeleton. Moreover, as the Examiner searches the compounds of Formula I, the Examiner will necessarily search compounds of Formula II. Therefore, there is no undue burden for the Examiner to search both compounds of Formula I and II as recited in the claims of Groups 1 and 2.

To complete the response, Applicants without prejudice to the above-stated arguments, provisionally elect Group 1, a species being the compound no. 1 of claim 4, and lactose as the specific excipient.

In addition, in the Office Action, it was noted that the application includes sequences disclosed that are encompassed by definitions for amino acid sequences. By this Amendment, Applicant has submitted a sequence listing in both paper and computer readable form in accordance with sequence rules 37 C.F.R. §§ 1.821-1.825.

In addition, Applicants have amended the specification on page 28 to provide identification of the peptide sequence for SEQ ID N° 5.

STATEMENT UNDER 37 C.F.R. § 1.821

Applicants state pursuant to 37 C.F.R. § 1.821(f) that the content of the enclosed paper sequence listing and computer readable form are the same, and in accordance with 37 C.F.R. § 1.821(g), state that the enclosed submission contains no new matter.

END REMARKS